

**EXHIBIT A**  
**Deposition Transcript: Deon C. Stafford**

1 UNITED STATES DISTRICT COURT  
2 FOR THE EASTERN DISTRICT OF PENNSYLVANIA

3 \* \* \*

4 DEON C. STAFFORD, SR., :  
5 Plaintiff, :

6 vs. :

7 DONALD T. VAUGHN, et :  
8 al., :

9 Defendants. : No. 02-3790

10 \* \* \*

11 Oral deposition of DEON STAFFORD,  
12 SR., taken at S.C.I. GRATERFORD, P.O. Box  
13 246, Graterford, Pennsylvania, 19426, on  
14 Wednesday, July 7, 2004, beginning at  
15 approximately 10:20 a.m., before Nicole  
16 Pavlovich, Reporter-Notary Public.

17 \* \* \*

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Page 2

## 1 APPEARANCES:

2 PATRICK J. MCMONAGLE, ESQUIRE  
 3 DEPUTY ATTORNEY GENERAL  
 4 OFFICE OF ATTORNEY GENERAL  
 5 21 South 12th Street, 3rd Floor  
 6 Philadelphia, PA 19107

7 -- Representing the Defendants  
 8

9 \*\*\*  
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 17  
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 20  
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 22  
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Page 3

1 \*\*\*  
 2

3 DEON STAFFORD, SR.,  
 4 after having been first duly  
 5 sworn, was examined and testified  
 6 as follows:  
 7 \*\*\*

8 EXAMINATION  
 9 \*\*\*

10 BY MR. MCMONAGLE:

11 Q. Good morning, my name is Patrick  
 12 McMonagle and I represent the people you are  
 13 suing from the Department of Corrections in  
 14 this lawsuit. Superintendent Vaughn, Deputy  
 15 Superintendent Arroyo, Deputy Superintendent  
 16 Diguglielmo, Fire Inspector McCurdy, and the  
 17 facilities maintenance manager Hiltner, I'm  
 18 here today to ask you questions about your  
 19 lawsuit. If you don't understand a question,  
 20 please tell me, I will repeat it. When you  
 21 answer a question you have to answer by  
 22 saying yes or no. The reporter cannot record  
 23 an answer if you just nod your head.  
 24 Remember to speak slowly and clearly so the  
 court reporter can record what you are

Page 4

1 saying.

2 If you answer a question I'm  
 3 going to assume you understood it. However,  
 4 if a few minutes later you think that you  
 5 want to change a previous answer just let me  
 6 know and I will give you the opportunity to  
 7 do so. One purpose of the deposition is to  
 8 use your sworn testimony in this case for the  
 9 proceedings. For example, if it goes to  
 10 trial it can be used against you if you say  
 11 something different at trial, do you  
 12 understand that?

13 A. Right.

14 Q. Therefore, you should try to be as  
 15 complete and direct as you can be. Finally,  
 16 if you need a break for any reason, please  
 17 tell me and we will take a break, okay?

18 A. All right. I have a few  
 19 questions, though.

20 Q. All right. Why don't we start.

21 A. Oh, you start?

22 Q. You can. This is about me asking you  
 23 questions.

24 A. Right. But I was under the

Page 5

1 impression that this wasn't until further  
 2 down in the procedures, because we were going  
 3 through discovery as of July 25th supposed to  
 4 be the deadline. I have not received  
 5 anything, so I was kind of shocked we have  
 6 this deposition at this point.

7 Q. July 25th was the deadline for requests  
 8 to go out. But I can still -- the deadline  
 9 for the --

10 A. June 25th.

11 Q. June 25th, right. This Friday.

12 A. July 9th.

13 Q. Yes, is medical records.

14 A. Right.

15 Q. And I will give you what I'm able to  
 16 give you from the medical records according  
 17 to the court order.

18 A. Right.

19 Q. On Friday.

20 A. But that's not my question. My  
 21 question was, I still hadn't received  
 22 anything as of the deadline of the work  
 23 orders, the medical reports, and all the  
 24 housing reports on the steps and the accident

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1 from '96 to 2000. You know, I haven't  
2 received that.

3 Q. I didn't exactly get a request from  
4 you, but I know --

5 A. From the judge.

6 Q. Yes, the judge -- I can provide them on  
7 Friday also, but there really isn't a whole  
8 lot. When I went to talk to -- what I recall  
9 from the conversation with the judge he  
10 wanted to see if you can get an MRI, for  
11 example.

12 A. Right.

13 Q. And I spoke with somebody in the  
14 medical department and he said it's not  
15 warranted.

16 A. Right.

17 Q. So as far as the work order is -- from  
18 what I recall there's nothing for those  
19 steps.

20 A. No work orders for those steps?

21 Q. For those steps.

22 A. I have copies of all the ones,  
23 at least 13.

24 Q. Did you bring them here?

Page 7

1 A. No, I was waiting for yours, I'm  
2 waiting for you guys, it's not required for  
3 me to present them, it's your turn to present  
4 yours, mines I had to go make copies of, I  
5 had to go to -- I had to through channels  
6 also, because I expected them to come back to  
7 say as well as you did there was no work  
8 orders or there was no evidence, when I knew  
9 that I had evidence, you know, for those --  
10 for those amount of years.

11 Q. We will talk about that and then --

12 A. I'm shocked you said there's no  
13 orders when you have officers and lieutenants  
14 in here who have pending litigation for  
15 falling through steps. I'm very shocked  
16 about that.

17 Q. I have to speak with the department  
18 again.

19 A. Oh, my goodness.

20 Q. So we have just covered this, I will go  
21 over some preliminary questions. You say you  
22 have not brought any documents with you?

23 A. No, I just woke up and told this  
24 was this morning, I didn't receive nothing in

Page 8

1 advance.

2 Q. All right. Are you on any medications  
3 that would affect your ability to understand  
4 the questions and answer fully?

5 A. No, no.

6 Q. Have you ever filed a lawsuit before?

7 A. Yes, I have.

8 Q. What was the name of that?

9 A. I was in Dauphin County Prison,  
10 Stafford versus Dominic DeRose, warden at  
11 Dauphin County Prison.

12 Q. Who are the defendants in that?

13 A. Jeffery Hodge.

14 Q. Were there any others?

15 A. Dominic DeRose, warden Dauphin  
16 County Prison.

17 Q. What was the lawsuit about?

18 A. Assaults by an officer.

19 Q. What happened with the assault?

20 A. The officer handcuffed me to the  
21 food slot through the door for a period of  
22 I'd say about 17 hours straight, because I  
23 had pushed the medical button. I needed  
24 medication for my seizure. I just came in

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1 off the street, he thought I was pushing the  
2 button to be smart. I did have a medical  
3 problem and he didn't believe me. Come down  
4 the line in the future he found out I did.  
5 So they handcuffed me through the food slot  
6 for 17 hours to stop me from pushing the  
7 button, because they didn't have any medical  
8 records on me. I just came in, he thought I  
9 was lying.

10 Q. What happened as a result of the  
11 lawsuit?

12 A. Settlement.

13 Q. For what, what was the terms of the  
14 settlement?

15 A. The terms of the settlement is  
16 no one was to be handcuffed or shackled down  
17 in Dauphin County ever again and that I was  
18 released of responsibility from Jeffery Hodge  
19 in future lawsuits of Dominic DeRose in  
20 county prison.

21 Q. Is that it?

22 A. Yes.

23 Q. When was that?

24 A. That was 1996.

DEON STAFFORD, SR.

Page 10

1 Q. What is your educational level?  
 2 A. GED, dropped out of school in  
 3 10th grade.  
 4 Q. You received your GED while  
 5 incarcerated?  
 6 A. Right.  
 7 Q. When you were in Dauphin County was  
 8 that for a different sentence?  
 9 A. For robbery for the sentence I  
 10 am here for now.  
 11 Q. It's the same one. When did that  
 12 start, when did you first start serving in  
 13 Dauphin County?  
 14 A. January 1, 1996.  
 15 Q. And you're still serving that sentence?  
 16 A. Right.  
 17 Q. When is your minimum number?  
 18 A. 2007.  
 19 Q. January 2007?  
 20 A. Right.  
 21 Q. And your max?  
 22 A. 2026.  
 23 Q. Okay. You know what, we didn't get  
 24 your name. For the record, what is your full

Page 12

1 A. By what the lieutenant told me  
 2 who ran the block.  
 3 Q. Prior to July 20, 2000 who did you  
 4 complain to?  
 5 A. Lieutenant Zang.  
 6 Q. Could you spell that for the reporter,  
 7 please.  
 8 A. Lieutenant Z-a-n-g.  
 9 Q. When was that?  
 10 A. 2001.  
 11 Q. About when?  
 12 A. I'm not -- I can't recall when  
 13 it was. I had spoke to him -- let me see,  
 14 early 2000, even before the accident I spoke  
 15 to him about the steps.  
 16 Q. I believe in your complaint you said  
 17 July 28, 2001 or 2000, I'm sorry?  
 18 A. What was that?  
 19 Q. July 28th.  
 20 A. That I complained?  
 21 Q. Yes, to a Lieutenant Zang.  
 22 A. No, that was after the  
 23 complaint. After the complaints I had made  
 24 orally and on paper to try to get the steps

Page 11

1 name.  
 2 A. Deon C. Stafford.  
 3 Q. And how do you spell Deon?  
 4 A. D-e-o-n.  
 5 Q. And your date of birth?  
 6 A. 4-10-69.  
 7 Q. And your current residence?  
 8 A. Graterford Prison.  
 9 Q. Now we'll get into the reason why I'm  
 10 here. Prior to July 20, 2000 flight of  
 11 stairs behind S.C.I. Graterford's A block had  
 12 been decayed for some time, you said that in  
 13 your complaint; is that correct?  
 14 A. Correct.  
 15 Q. How long had it been decayed, in your  
 16 opinion?  
 17 A. I'd say about seven or eight  
 18 years.  
 19 Q. When did you arrive here?  
 20 A. I arrived here in 1996, four  
 21 years before this.  
 22 Q. And you are conjecturing that at least  
 23 four years before that it was decayed  
 24 already?

Page 13

1 repaired so someone else wouldn't get hurt.  
 2 Before that I and many others complained.  
 3 Even officers complained about those steps.  
 4 Q. So we're sticking with before July 20,  
 5 2000 you said you spoke to?  
 6 A. Lieutenant Zang.  
 7 Q. Lieutenant Zang. Early in 2000?  
 8 A. Right. Also, I have a copy I  
 9 had wrote the Commissioner, Martin Horn.  
 10 Q. When did you --  
 11 A. That was --  
 12 Q. -- write him?  
 13 A. You know what, it was before the  
 14 fall, because he sent me a copy back. I  
 15 still have the copy, he sent me an answer  
 16 back.  
 17 Q. Will you provide them when I provide  
 18 you --  
 19 A. Most definitely. I have copies  
 20 of everything.  
 21 Q. And in that letter you complained about  
 22 the steps on A block?  
 23 A. Right. They were broken, asked  
 24 if they could be repaired.

4 (Pages 10 to 13)

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Page 14

1 Q. What was his reply, if any?  
 2 A. I don't even remember, it was a  
 3 positive reply.  
 4 Q. What does a positive reply mean?  
 5 A. Meaning some action was supposed  
 6 to be taken. None ever was.  
 7 Q. Anybody else before July 20, 2000 that  
 8 you complained to?  
 9 A. Let me think. C.O. Bratcher.  
 10 Q. Could you spell that?  
 11 A. B-r-a-t-c-h-e-r.  
 12 Q. You say he's a corrections officer?  
 13 A. Right.  
 14 Q. When was that?  
 15 A. Before the fall, seven months  
 16 before, I'm not sure of the date.  
 17 Q. Did you complain orally to him?  
 18 A. Yes.  
 19 Q. What did he say?  
 20 A. He said they put work orders in.  
 21 Q. Anybody else?  
 22 A. George Hiltner, supervisor of  
 23 maintenance.  
 24 Q. When was that?

Page 15

1 A. Way before this, about within  
 2 the last three months before the fall. Every  
 3 time he came on the block me and other  
 4 inmates will go to him about the steps.  
 5 Q. So you actually spoke to him?  
 6 A. Yes.  
 7 Q. What did he say?  
 8 A. That he's received the work  
 9 orders, in time he will get to it.  
 10 Q. Anybody else?  
 11 A. Not that I can recall at this  
 12 point.  
 13 Q. Okay.  
 14 A. I didn't bring my notice.  
 15 Q. After July 20, 2000 when you fell did  
 16 you grieve it?  
 17 A. Yes.  
 18 Q. Did you file a grievance?  
 19 A. Yes.  
 20 Q. And how did you go about doing that?  
 21 A. Wrote a grievance to Leslie  
 22 Hatcher.  
 23 Q. What was the result?  
 24 A. The result was it's noted,

Page 16

1 that's what her answer was, it's noted. It  
 2 will be looked into. I filed three  
 3 grievances.  
 4 Q. Let me show you a grievance here. I  
 5 have here official inmate grievance filed  
 6 July 22, 2000, has your name here Deon C.  
 7 Stafford.  
 8 A. Mm-hmm.  
 9 Q. Filed to Mrs. Leslie Hatcher.  
 10 A. Right.  
 11 Q. I'm going to show it to you and verify  
 12 if that's your handwriting?  
 13 A. Mm-hmm.  
 14 Q. That's what you wrote.  
 15 A. Mm-hmm.  
 16 Q. Was this the first one that you wrote?  
 17 A. I'm not sure, I wrote three  
 18 grievances.  
 19 Q. Okay. I will have this marked, but for  
 20 the record I will read it, if I can't  
 21 understand any words I will ask you, but it  
 22 says, "Hello, on July 20, 2000 I fell through  
 23 the eighth step in the back of A block  
 24 landing on my back and neck. Now there were

Page 17

1 many work orders for the steps to be fixed by  
 2 the guards and inmates. And they were not  
 3 fixed. Now I am suffering from back and neck  
 4 pain and extremely back headaches. And  
 5 medical x-rayed me but refused to take me to  
 6 the hospital. Dr. Bekkon."  
 7 A. Dr. Bekkon.  
 8 Q. What is that first word?  
 9 A. Nor.  
 10 Q. "Nor give me" --  
 11 A. Gave me a lay in.  
 12 Q. "Nor gave me a lay in from work or feed  
 13 in. Now I am forced to work without a neck  
 14 or back brace." It says here you talked to  
 15 Mr. Murphy, A block unit manager Lieutenant  
 16 Ransome wrote a" --  
 17 A. Deputy Vaughn.  
 18 Q. Okay.  
 19 MR. MCMONAGLE: I'll have that  
 20 marked as Exhibit-A.  
 21 \* \* \*  
 22 (Whereupon, the above-mentioned  
 23 document was marked for identification  
 24 as Exhibit-A.)

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\* \* \*

BY MR. MCMONAGLE:

Q. And that is grievance answer number GRA-0897-2000, okay. I'm also showing you the initial review of response for grievance number 0897-2000, it is dated August 7, 2000. And it was written by CHCA Julie Kauer. Does this look familiar to you?

A. No, I have two different answers. I don't have anything with Dr. Kulglat's name in it.

Q. What answer did you receive for this?

A. I don't remember the answer, but I have copies of it with her name and signature on it as Knauer's.

Q. Okay.

MR. MCMONAGLE: Can I have that marked as Exhibit-B.

\* \* \*

(Whereupon, the above-mentioned document was marked for identification as Exhibit-B.)

\* \* \*

BY MR. MCMONAGLE:

Page 20

Q. What was it?

A. Working in the CI warehouse.

Q. What's that?

A. Well, we make brown pants and shirts.

Q. How much did you earn per hour?

A. I'd say about \$.23.

Q. How many hours a week did you work?

A. I'm not sure, it varied.

Q. Okay. On average between December 1999 and July of 2000 how many hours a week did you work?

A. It varied. I know my pay was \$139 a month, my hours always varied because there were bonuses.

Q. Okay. What did your job involve?

A. Cutting material.

Q. Can you walk now without a problem?

A. My left leg sometimes becomes numb, that's about the only problem.

Q. Do you get your own food every day?

A. Right.

Q. After July 20th of 2000 did you still have a job in the institution?

Page 19

Q. Do you know of any other staff who have been hurt from falling down the A block stairs or because an individual stair collapsed beneath them?

A. Yes, I don't have my notes here present with me. I am aware of two other officers.

Q. Do you know of any other inmates hurt from falling down those A block stairs or because an individual stair collapsed beneath them?

A. Yes, I know of one inmate.

Q. What is his name?

A. I'm not -- I have everything in my notes.

Q. Prior to July 20, 2000 had you ever fallen down those steps before?

A. No.

Q. Had you ever fallen down other steps in the institution before?

A. No.

Q. Prior to July 2000 did you have a job in the institution?

A. Yes.

Page 21

A. Well, I lost my job because I was unable to perform my duties.

Q. Immediately after the fall?

A. No, I'd say about within three weeks.

Q. So after the fall you tried to do your duties, but it --

A. I couldn't stand for long periods of time.

Q. So you stopped working a couple weeks after it then?

A. No, I didn't go back to work for a week.

Q. Then did you go back to work?

A. Yes.

Q. Same terms as before?

A. No, my boss gave me a job where I had to sit down.

Q. Do you still get paid the same amount?

A. Right.

Q. You described earlier some conversations you had, and at least one letter that you wrote, complaining about the conditions of the stairs prior to July 20,

Page 22

1 2000. What results, if any, did these  
 2 conversations yield?  
 3 A. I complained of the steps before  
 4 the fall or after the fall?  
 5 Q. Before the fall.  
 6 A. Nothing. No results at all, no  
 7 steps fixed, nothing repaired.  
 8 Q. You indicated in the complaint that the  
 9 stairs had been welded.  
 10 A. When I fell. Before that prior  
 11 to me falling nothing, no repairs were done  
 12 at all. There was many work orders inmates  
 13 that work on my block, work maintenance, so I  
 14 was able to obtain copies of the work orders  
 15 to prevent this from happening in the future,  
 16 no knowledge of work orders.  
 17 Q. Are you on any pain medications?  
 18 A. They still give me Motrin.  
 19 Q. How do you get the Motrin?  
 20 A. Through medical, the window.  
 21 Q. So you go to medical and you request it  
 22 and you receive it?  
 23 A. Sometimes. I can't take them  
 24 anymore it messed my stomach up over the

Page 24

1 Q. Who?  
 2 A. They are in my notes. You can  
 3 just put lieutenants, sergeants, correctional  
 4 officers, inmates. Also a camera, videotape,  
 5 which I'm sure that you won't be able to  
 6 find, camera.  
 7 Q. Are you saying there are more than ten  
 8 people there that saw you fall?  
 9 A. I'm saying there were about 50,  
 10 we just got let out for lunch. Might have  
 11 been 100, I'm not sure. The whole back  
 12 block.  
 13 Q. What were you doing right before you  
 14 fell?  
 15 A. In my cell.  
 16 Q. You were on your way to lunch?  
 17 A. Right. They had just opened the  
 18 door for lunch.  
 19 Q. You were on your way to the cafeteria?  
 20 A. Right.  
 21 Q. Was there another inmate or corrections  
 22 officer next to you?  
 23 A. No, right below me.  
 24 Q. You're walking a single file line?

Page 23

1 years, I don't take anything now.  
 2 Q. After the July 20, 2000 fall did you  
 3 see any doctors?  
 4 A. Yes.  
 5 Q. Who did you see?  
 6 A. Dr. Bekkon. I can't think of  
 7 the doctors' names. I saw several doctors.  
 8 Q. Any nurses?  
 9 A. Maybe one.  
 10 Q. How about physicians assistants?  
 11 A. I'm not sure.  
 12 Q. Are they still available when you need  
 13 them or want them?  
 14 A. Right at this moment?  
 15 Q. Well, since the fall July 20, 2000?  
 16 A. Are you asking me are they still  
 17 employed here?  
 18 Q. No. Are doctors, nurses, and  
 19 physicians' assistants available to you when  
 20 you need or want them?  
 21 A. Yes, yes.  
 22 Q. Do you have any witnesses to the fall  
 23 that you took on July 20, 2000?  
 24 A. Yes.

Page 25

1 A. I was walking by myself on the  
 2 top tier.  
 3 Q. Before you got on the steps?  
 4 A. Right.  
 5 Q. And you were the only one on that  
 6 particular step when it collapsed beneath  
 7 you?  
 8 A. At the time, yeah, the  
 9 stairwell.  
 10 Q. Were you talking to anybody?  
 11 A. Yes, yes, two people, to be  
 12 exact.  
 13 Q. You were having a conversation and you  
 14 stepped on the step and it collapsed beneath  
 15 you?  
 16 A. Collapsed beneath me.  
 17 Q. Is there a railing there?  
 18 A. Yes, it was.  
 19 Q. Did you have your hand on it?  
 20 A. Yes.  
 21 Q. And yet you still fell?  
 22 A. Yeah, it just collapsed,  
 23 everything collapsed beneath me.  
 24 Q. What's underneath that particular step?

DEON STAFFORD, SR.

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1 A. A steel heater.  
 2 Q. And did you maintain your grip on the  
 3 railing as you were falling?  
 4 A. It was impossible, my feet below  
 5 me gave out as the step cracked in half and  
 6 fell completely below me.  
 7 Q. How did you land?  
 8 A. I remember landing on the back  
 9 of my neck toward the top of my back.  
 10 Q. And was that where the weight of  
 11 your -- is that where all your weight fell,  
 12 the top of your neck?  
 13 A. My weight hit my spine, the back  
 14 part, the lower spine.  
 15 Q. What happened after that?  
 16 A. I don't remember, I just -- only  
 17 thing I remember was getting strapped in  
 18 something, some kind of device, and I woke up  
 19 in medical, they were sticking pins in my  
 20 foot.  
 21 Q. What happened after that?  
 22 A. The doctors argued.  
 23 Q. Who are the doctors?  
 24 A. One was Bekkon and the other one

Page 28

1 Q. Okay. What happened next then?  
 2 A. The other doctor continued  
 3 sticking pins in my big toe or bottom of my  
 4 foot, I couldn't feel it.  
 5 Q. Did you stay there overnight?  
 6 A. Yes.  
 7 Q. What care, if any, did you receive  
 8 throughout that night?  
 9 A. Pain medication, that was it.  
 10 Q. Okay. How long did you remain in the  
 11 infirmary?  
 12 A. I'd say about 30 hours, about a  
 13 day and a half.  
 14 Q. And what happened after that?  
 15 A. I saw the doctor the following  
 16 day, Dr. Bekkon. He said he was sending me  
 17 back to the block, they didn't have enough  
 18 room down there, and I should be okay.  
 19 Q. And did you go back to your cell?  
 20 A. Yes.  
 21 Q. How did you get there?  
 22 A. I limped. I had no choice, I  
 23 was given a direct order.  
 24 Q. What other care, what other medical

Page 27

1 I can't recall. He's at another practice,  
 2 he's not here. And I think it's down in  
 3 Norristown, the other doctor. I have his  
 4 information.  
 5 Q. What were they arguing about?  
 6 A. Dr. Bekkon was saying to leave  
 7 me in the dispensary, he wasn't sure about  
 8 the extent of my injury.  
 9 Q. So are you saying Dr. Bekkon was saying  
 10 you should be left in the dispensary until  
 11 further evaluation?  
 12 A. Right.  
 13 Q. Results of what?  
 14 A. Of x-rays, or they x-rayed me at  
 15 that moment.  
 16 Q. What was the other doctor saying?  
 17 A. The other doctor was furious.  
 18 He said a person with the magnitude of this  
 19 fall should be taken to the hospital.  
 20 Q. About what time was this, if you can  
 21 recall?  
 22 A. Oh, man, it had to be before  
 23 12:00, because it's lunchtime, 10:30 to  
 24 12:00.

Page 29

1 care did you receive in the days following  
 2 the fall, the days, the weeks following that  
 3 fall?  
 4 A. Motrin and a cane.  
 5 Q. How regular were the visits to the  
 6 infirmary or visits from medical  
 7 professionals?  
 8 A. Well, I'd sign up for sick call  
 9 I'd say two or three times a week. Then they  
 10 begin charging you for their mistake, so I  
 11 couldn't afford it.  
 12 Q. What mistake did they make?  
 13 A. Not repairing the steps.  
 14 Q. What mistake did the medical people  
 15 make?  
 16 A. They weren't treating me, they  
 17 wouldn't send me to a hospital. I knew I was  
 18 injured worse than what they said.  
 19 Q. Did you request to be seen or treated  
 20 by a medical professional outside of the  
 21 institution?  
 22 A. Definitely.  
 23 Q. When did you do that?  
 24 A. I don't know dates, but I have

8 (Pages 26 to 29)

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1 copies of all the letters I have given  
2 commissioners, I have written wardens, deputy  
3 wardens, lieutenants, guards, unit managers.

4 Q. What responses did you get?

5 A. They are in the process or they  
6 blow me off, or, you know.

7 Q. Why did you want to be seen by a  
8 medical professional outside of the  
9 institution?

10 A. Because I couldn't sit down and  
11 use the bathroom, I couldn't stand for long  
12 periods of time.

13 Q. What makes you think that somebody,  
14 medical professional outside the institution,  
15 would help you in some way?

16 A. Because they'd be able to  
17 pinpoint what my injury was and help me.

18 Q. Why do you think the medical  
19 professionals here at the institution weren't  
20 able to pinpoint your injury?

21 A. Not enough time, too many  
22 inmates. They tried, at one point they  
23 tried, they x-rayed me, but that was it.  
24 They said I had a back injury, that was it.

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1 Q. That's the oral response. What about  
2 the written one you mentioned?

3 A. Written response from Donald T.  
4 Vaughn stating that they would try to help  
5 and that he was sorry about the recent step  
6 collapsing and he would make changes so it  
7 wouldn't happen again.

8 Q. Okay. But in neither the oral response  
9 nor the written response was there any  
10 mention of you being evaluated by medical  
11 professionals outside of the institution?

12 A. The other response I received  
13 was from medical staff, Ms. Knauer and  
14 another -- a few others. And what they  
15 stated was I don't need to go to a hospital,  
16 it was just a simple back injury and Motrin  
17 would help. Or they would -- the other  
18 response was from Ms. Knauer was go to sick  
19 call. Most of their answers were go to sick  
20 call, continue sick call.

21 Q. Okay. Had you been seen by doctors  
22 after the fall other than that time that you  
23 said you talked to Dr. Bekkon he said okay,  
24 now is the time you can go back to your cell?

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1 Some nerves or something.

2 Q. Did you say you did receive responses  
3 from officials to your request to be seen  
4 outside of the institution?

5 A. I received an oral response and  
6 letter from the warden, Donald Vaughn.

7 Q. Who did you get the oral response from?

8 A. Donald T. Vaughn.

9 Q. What did he say?

10 A. He said that he would -- ask me  
11 was there anything that they could do to  
12 help. I said yes, I would like to go to the  
13 hospital and I'd like the steps repaired.

14 Q. What did he say?

15 A. He said he'd see what he could  
16 do.

17 Q. He came to your cell?

18 A. He came to my cell. Him, Major  
19 Murphy, and who was with him -- I'm not sure  
20 of the third person with him. I remember  
21 Major Murphy at the time, now he's the  
22 warden, deputy warden here, John T. Murray.

23 Q. Okay.

24 A. Deputy warden here now.

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1 A. Yes.

2 Q. Do you recall their names?

3 A. Not offhand. Every time I saw a  
4 doctor I took my pad and wrote it down  
5 everything he said.

6 Q. What did they say, do you recall that?

7 A. Mostly continuing Motrin and go  
8 to therapy and he gave me pamphlets and  
9 papers of back exercises I could do.

10 Q. What do you think a doctor outside of  
11 the institution would have done differently?

12 A. An MRI, which would detect what  
13 the problem was instead of just an x-ray. An  
14 x-ray -- with the back you have to really be  
15 careful with that.

16 Q. What's the difference between an x-ray  
17 and MRI?

18 A. An MRI is internal, everything.  
19 X-ray is internal also, x-ray is only looking  
20 specifically at one part, MRI they'd be able  
21 to detect what would be wrong from my neck  
22 all the way down to my spine. They'd be able  
23 to put the fluid in and see what's going on.  
24 That's all I wanted to do to correct it. I

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1 didn't even want to pursue this and litigate  
 2 it, because it was a hassle, I wanted to get  
 3 my back fixed and get the steps fixed.  
 4 That's all I ever requested. I never wanted  
 5 it to go to court or none of this. Once they  
 6 kept telling me just take Motrin and I got  
 7 sick from the Motrin, and give me a cane, and  
 8 that's it. It was like I need some help with  
 9 this. That's when I started writing more and  
 10 more paperwork.  
 11 Q. Did you ever injure your back or neck  
 12 prior to July 20, 2000?  
 13 A. Injure my back.  
 14 Q. Or neck.  
 15 A. I've hurt my tailbone in a  
 16 county prison an officer slammed me.  
 17 Q. This is back in Dauphin County again?  
 18 A. Right.  
 19 Q. In '96?  
 20 A. Right. Bruised tailbone, that's  
 21 what it was.  
 22 Q. What treatment did you receive for  
 23 that?  
 24 A. Oh, boy, they took me to another

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1 Q. But you also testified that you got  
 2 that here after your fall.  
 3 A. Yeah, same thing, same procedure  
 4 here. X-ray, pain medication, therapy.  
 5 Q. Have you injured your back or neck  
 6 since that fall on July 20, 2000?  
 7 A. No, it's still injured.  
 8 Q. But there's nothing new --  
 9 A. No.  
 10 Q. Have you reinjured it or aggravated it  
 11 at all?  
 12 A. It's aggravated every morning.  
 13 Every morning I wake up it's stiffness and  
 14 sore. I have no new accidents or anything of  
 15 that sort.  
 16 Q. I don't mean to repeat myself, but did  
 17 you write to anyone outside of the  
 18 institution about your fall?  
 19 A. Definitely.  
 20 Q. Who?  
 21 A. Commissioners.  
 22 Q. Okay. Anybody else?  
 23 A. Prison society, at the time it  
 24 was Martin Horn.

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1 prison. Berks County Prison took me to an  
 2 outside hospital down in Reading.  
 3 Q. What did they do for you in Reading?  
 4 A. They gave me an x-ray, gave me  
 5 some pain medication, and they had me go to  
 6 therapy for about six months.  
 7 Q. I'm sorry, one more time, an x-ray?  
 8 A. Right. Pain medication and  
 9 therapy.  
 10 Q. So similar to the treatment you  
 11 received here?  
 12 A. No, not at all. They were more  
 13 professional there, their therapy was  
 14 intense, they really worked with me, the  
 15 problem.  
 16 Q. So you were going back to Reading for  
 17 therapy?  
 18 A. I was removed from Dauphin Count  
 19 to Reading Prison because of the civil suit.  
 20 Q. But you testified earlier that here you  
 21 got x-ray, pain medication, and information  
 22 on physical therapy stretches and exercises?  
 23 A. Right, at Reading Berks County  
 24 Prison.

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1 Q. Prison society?  
 2 A. Right.  
 3 Q. What response did you get from them?  
 4 A. I have it on paper, I don't  
 5 remember the response. Who else did I write,  
 6 I wrote so many legal -- I have so much legal  
 7 correspondence. Old attorneys, Jeffrey  
 8 Dorman, Harrisburg attorneys, I have saved  
 9 everything they wrote me and make copies of  
 10 it. Many of them referred me to other  
 11 agencies or to write to other people.  
 12 Q. Changing course, what kind of shoes  
 13 were you wearing when you fell?  
 14 A. Sneakers.  
 15 Q. Okay. You mentioned Fire Inspector  
 16 McCurdy?  
 17 A. M-s-c-u-r-dy.  
 18 Q. Mscurdy?  
 19 A. Mscurdy, yes.  
 20 Q. How did you contact him?  
 21 A. Orally before and after the  
 22 fall. Me and him -- every time I saw him he  
 23 had a conversation before the fall and after  
 24 the fall. Always have arguments about the

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1 steps and the fire hazard that it was.  
 2 Q. Like what?  
 3 A. Well, I'm on A block, it's an  
 4 honorable block, I've been there for four and  
 5 a half years, most of the inmates over there  
 6 are 50 and older. And my concern is if one  
 7 of those guys fall they are going to die.  
 8 The steps are steel and concrete, they were  
 9 rotted through, both steps in the back.  
 10 There was no way ot go down the steps to go  
 11 to the cafeteria unless you proceeded down  
 12 those steps. Officers avoided those steps.  
 13 So when I would see McCurdy I would stop him  
 14 and point the steps out, I would make him  
 15 aware that this was a problem, someone was  
 16 going to get hurt, you need to fix these  
 17 steps.  
 18 Q. Is it common for a fire inspector to  
 19 walk around the blocks, is that what he does?  
 20 A. You see him coming through the  
 21 block maybe once every two weeks during fire  
 22 inspections, make sure you don't have too  
 23 much cell content in your cell.  
 24 Q. What was his responses to your --

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1 A. His responses was, well, they  
 2 have work orders. That's George Hiltner's  
 3 supervisor for maintenance responsibility,  
 4 they are aware. Their favorite line  
 5 was "We're aware of this." That was their  
 6 favorite line.  
 7 Q. How about Unit Manager Murphy, who is  
 8 not a defendant, but --  
 9 A. I didn't put him as a defendant  
 10 because he had just moved on the block, as I  
 11 did, so the problem lied with the unit  
 12 manager before that and the block lieutenant  
 13 was Lieutenant Zang. And I go to Lieutenant  
 14 Zang when they moved him to C block from A  
 15 block once I moved over here, and him and  
 16 Lieutenant Coclia (ph), their reply was this  
 17 was their block for five years prior to this  
 18 and they had put in many work orders and many  
 19 oral complaints and nothing was done. He was  
 20 very upset because he had warned the  
 21 institution that someone was going to get  
 22 hurt. That's why I was very upset, because  
 23 they had five years before this you could  
 24 have fixed the steps, but you refused. So I

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1 went through all this for nothing.  
 2 Q. What sort of interaction, if any, did  
 3 you have with Deputy Superintendent Arroyo  
 4 about the stairs?  
 5 A. Oral. Oral conversation,  
 6 handwriting complaints, which he answered --  
 7 his reply was we're working on it, there's  
 8 many work orders, we are pushing the  
 9 supervisor to fix the steps. Matter of fact,  
 10 he made several phone calls to my family  
 11 apologizing for this.  
 12 Q. Who?  
 13 A. My wife at the time Deputy  
 14 Arroyo and a guy named Mr. Lafae, who is the  
 15 warden's assistant here.  
 16 Q. She's now ex-wife?  
 17 A. Yes.  
 18 Q. Do you have copies of those letters to  
 19 your ex-wife?  
 20 A. Do I have copies, no.  
 21 Q. How did you know --  
 22 A. Phone calls.  
 23 Q. Okay. Have you been seen by an outside  
 24 medical professional since your incarceration

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1 at Graterford and not necessarily for this --  
 2 A. No.  
 3 Q. -- incident?  
 4 A. No.  
 5 Q. Do you know how to go about doing that  
 6 to request it? How does that work?  
 7 A. You request it to the deputy  
 8 warden and the warden and to the medical  
 9 staff. I have wrote all areas.  
 10 Q. Okay.  
 11 A. Mainly Ms. Knauer, I think she's  
 12 pretty much the supervisor responsible for  
 13 this decision. I'm not sure, I'm just  
 14 assuming that she is.  
 15 Q. So today as you're sitting here you say  
 16 that to this day you still wake up stiff and  
 17 sore?  
 18 A. Sometimes when it's cold, yes.  
 19 Early in the morning or when it's cold, when  
 20 it's cold it's bad.  
 21 Q. And you never had that before the fall?  
 22 A. No. I've never had where I can  
 23 just sit here and talk to you. My leg just  
 24 gets numb or I am walking it gets numb and

DEON STAFFORD, SR.

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1 you don't have any strength. It feels like  
2 it's a numb leg. I don't know what it's  
3 from.

4 Q. Okay.

5 MR. MCMONAGLE: Well, I don't  
6 have any more questions. That's about  
7 it.

8 \* \* \*

9 (Witness excused.)

10 \* \* \*

11 (Whereupon, the deposition was  
12 concluded at approximately 11:00 a.m.)

13 \* \* \*

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1 CERTIFICATION

2  
3  
4  
5  
6  
7 I, NICOLE PAVLOVICH  
8 hereby certify that the foregoing is a  
9 true and correct transcript of the  
10 proceedings held in this matter, as  
11 transcribed from the stenographic notes  
12 taken by me.

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NICOLE PAVLOVICH  
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2 I N D E X  
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5 WITNESS: DEON STAFFORD, SR.

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7 QUESTIONED BY: PAGE  
8 MR. MCMONAGLE 3

9 \* \* \*  
10  
11 E X H I B I T S  
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13  
14 NAME DESCRIPTION MK'D  
15 Exhibit-A Document 17  
16 Exhibit-B Document 18

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<hr/> <b>X</b> <hr/> X 43:2,11 x-ray 33:13,14,16,19 33:19 35:4,7,21 36:4 x-rayed 17:5 27:14 30:23 x-rays 27:14 <hr/> <b>Y</b> <hr/> yeah 25:8,22 36:3 years 7:10 11:18,21,23 23:1 38:5 39:17,23 yield 22:2 <hr/> <b>Z</b> <hr/> Zang 12:5,21 13:6,7 39:13,14 Z-a-n-g 12:8 <hr/> <b>\$</b> <hr/> \$139 20:14				

**EXHIBIT B**  
**Declaration of Facilities Maintenance Manager III,**  
**George Hiltner**

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DEON C. STAFFORD : CIVIL ACTION

v. :

DONALD T. VAUGHN (SUPERINTENDENT):  
MANNY ARROYO (DEPUTY  
SUPERINTENDENT), DAVID  
DIGUGLIELMO (DEPUTY  
SUPERINTENDENT), GEORGE HILTNER  
(SUPERVISOR MAINTENANCE), MRS.  
KNAUER (ADMINISTRATION  
SUPERVISOR), MR. MCSURDY (FIRE  
INSPECTOR SUPERVISOR) : NO. 02-3790

DECLARATION OF FACILITIES MAINTENANCE MANAGER, COMMONWEALTH  
DEFENDANT GEORGE HILTNER

I, George Hiltner, declare under penalty of perjury that the following facts are true and correct:

1. I am an employee of the Pennsylvania Department of Corrections ("DOC"). I have been the Corrections Facilities Maintenance Manager III at the State Correctional Institution ("SCI") at Graterford for approximately five years. Before that, I was a Corrections Facilities Maintenance Manager I at SCI-Graterford for four years. I have worked for the DOC for approximately twelve years.
2. SCI-Graterford is one of the largest correctional institutions in Pennsylvania, if not the largest. It is located in a semi-rural area of Montgomery County. It occupies approximately 1,700 acres, of which approximately 64 acres are "inside the walls".
3. In addition to the main prison structure, which houses most of the cell blocks and numerous other spaces (such as offices, food service areas, chapels, medical facilities, etc.), SCI-Graterford also has a large number of out-buildings, of widely varying sizes, which serve a broad range of functions. These are located all over the institution's

grounds, both inside and outside the walls.

4. As the Facilities Maintenance Manager III at SCI-Graterford, I plan, direct, organize and coordinate construction, renovation, maintenance, grounds keeping, security, sewage treatment plant, six well water supply systems, heating and utility plant operations, including electrical generation, farm operations and repairs, greenhouse and truck garden crops. I supervise grounds keepers and housekeeping of all maintenance areas. I plan and direct all building, electrical and mechanical construction, renovations and maintenance. I direct operation of the Sewage Treatment Plant through personal inspection, conferences, charts, logs and reports. I assign supervisors, tradesmen, foremen, tradesmen instructors and inmates to repair projects and review work for adherence to plans, specifications and technical standards. I prepare plans and specifications for construction, renovation and maintenance projects. I direct the operation of high pressure steam heating and utility plans through inspection, conferences and review of reports, logs and charts. I direct changes in boiler and utility plant operations. I direct installation and repair of air conditioning and refrigeration through inspection, review of charts, logs and conferences.
5. I direct and supervise the three Facility Maintenance Manager I's and the one Utilities Supervisor at SCI-Graterford and make daily inspections of projects throughout the Institution.
6. SCI-Graterford was built in 1929. Prior to the 1950s, stairs were constructed by using either bolts or rivets. After the invention of welding in the 1950s, stair construction was changed to welded construction. Therefore, the stairs on the housing blocks A through E were bolted together. If a bolt broke, and the step dropped, the steps were welded back

into place and not replaced.

7. Over approximately seventy (70) years, the stairs in the housing units were subjected to significant stress from equipment being dragged over them, flooding, and general use by inmates and corrections personnel. In September of 1997, many of the stairs in D-Block were welded and received new treads. After this project was completed, it was determined that every flight of stairs in housing units A through E should be inspected for possible replacement. Therefore, in 1998, a mason was directed to evaluate the condition of the stairs in the housing blocks.
8. After the mason determined that most of the stairwells were "worn", corrections officials decided to replace each "worn" stairwell in housing units A through E. Each of the five (5) housing units (A-E) has two (2) sets of staircases in the back of the unit and two (2) more in the center of the unit. The number of staircases in the front of each unit varies. A-Block has three (3) in the front of the unit, as does B-Block and C-Block. D-Block and E-Block have only one (1) staircase in the front of the unit because those blocks are on ground level. Therefore, there is a total of thirty-one (31) sets of stair cases in housing units A-E. Of those thirty-one (31), twenty-four (24) were designated for replacement. The seven (7) "sets" of stairs that were not designated for replacement differed from the others not only in their condition, but in their construction and size. In other words, four (4) of the seven (7) sets are fifty-foot wide steps (on A, B & C) and three (3) more are short flights, consisting of less than four steps each (also on A, B & C). The short flights were, in fact, welded.
9. The five housing units A through E were prioritized, with the worst block stairs being replaced first. To that end, the stairs on E-Block were replaced first. This project was

finished by September 2000. The D-Block stairs were replaced by November 2000. The A-Block stairs were replaced in February 2001, at a cost of over \$8,000 for that block alone. Since the 1998 decision to replace the designated stairs, each designated set of stairs in the A-E Block housing units have been replaced. The cost for replacing the A-Block stairs alone exceeded \$8,000.

10. Prior to February 2001, when the A-Block stairs were replaced, there were occasional repairs made to the steps pending replacement. A step was welded in April 1997, treads were repaired on two steps on a flight in the front of the block in early 1998, and a tilted step on the same flight was straightened out in April 1998.
11. Plaintiff Deon Stafford, DD-4637, is an inmate currently incarcerated at SCI-Graterford, who has claimed that I demonstrated deliberate indifference for not having the back steps on A-Block replaced prior to his July 20, 2000 accident.
12. As previously noted, the project to replace twenty-four (24) of the thirty-one (31) flights of stairs in the housing units A-E was initiated in 1998. I have no recollection of any complaints coming directly from Stafford regarding the flight of steps in the back of A-Block. Rather, I was aware that most of the sets of stairs in each of the housing units A through E were due to be replaced sometime after 1998.
13. My review of the records, kept up to date in the normal course of providing maintenance services at SCI-Graterford, reveals the following, with respect to the condition of the A-Block stairs:
  - a. On March 5, 1997, a Maintenance Work Order ("MWO") was completed for a cracked step on A-Block. It was assigned code number 97-0063 and the work was completed on March 17, 1997. The completed job was entered on the MWO log

on April 1, 1997.

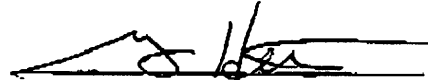
- b. On January 7, 1998, as previously stated, an MWO was completed that indicated that a mason was scheduled to evaluate the stairs for replacement. It was assigned code number 98-00384.
  - c. Also on January 7, 1998, an MWO was completed to repair the treads on 2 specific steps. It was assigned code number 98-00400 and the work was completed on March 2, 1998.
  - d. On April 7, 1998, an MWO was completed to repair a tilted step. It was assigned code number 98-02272 and the work was completed on April 22, 1998.
  - e. MWOs 98-00384, 98-00400, and 9802272 were listed in the log, along with several other projects ordered and completed around the same time throughout the Institution.
  - f. The June/July 1999 Fire & Safety Inspection Report indicates that replacing the stairs on A-Block was scheduled.
14. It is worth noting that not every job that is completed in or around the Institution has an MWO for it. Many times, maintenance staff see a problem during their rounds and address it immediately without first getting an MWO or filling one out later. Moreover, not every MWO is logged, especially not during the time period relevant to this case.

15. Attached, as noted in the Exhibit Table, are true and correct copies of the documents that I have described above.

I have read the foregoing and declare, under penalty of perjury, that the facts recited true and correct.

Graterford, PA

Dated: 8/6/04



George Hiltner